

2005 DRAFTING REQUEST

Assembly Amendment (AA-AB100)

Received: 05/31/2005

Received By: rryan

Wanted: As time permits

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Morgan

This file may be shown to any legislator: NO

Drafter: rryan

May Contact:

Addl. Drafters:

Subject: Health - long-term care

Extra Copies: DAK

Submit via email: YES

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

LFB:.....Morgan -

Topic:

New family care resource centers

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	rryan 06/01/2005	wjackson 06/06/2005	rschluet 06/06/2005	_____	sbasford 06/06/2005		

FE Sent For:

<END>

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/?	rryan	11/11/06					
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FE Sent For:

665 p6
<END>

DHFS -- MEDICAL ASSISTANCE -- LONG-TERM CARE

Resource Center Expansion

Motion:

Move to: (a) delete the current law provision that prevents DHFS from creating a new Family Care aging and disability resource center unless the local long-term care council developed the initial plan and the Legislature authorized the expansion and the necessary funding to support the expansion; (b) approve the creation of nine new aging and disability resource centers serving 13 counties in 2005-07; (c) establish a 14-day passive review requirement, under which DHFS could seek legislative approval for future resource center expansions; and (d) require DHFS to submit, as part of its 2007-09 biennial budget request, a plan to support any costs to continue the operations of all of the aging and disability resource center above the 2006-07 budgeted funding by reallocating funds within the DHFS base appropriations.

Note:

Under Family Care, the state supports resource centers and care management organizations. Resource centers provide information, assessments, eligibility determinations, and other preliminary services, while care management organizations manage and provide the Family Care benefit to every person enrolled in the program under a capitated, risk-based payment system. Currently, nine counties operate resource centers (Fond du Lac, Jackson, Kenosha, La Crosse, Marathon, Milwaukee, Portage, Richland, and Trempealeau), while five counties operate care management organizations (Fond du Lac, La Crosse, Milwaukee, Portage, and Richland).

On April 26, 2005, the Governor announced that federal and state funding is available to support the creation of nine aging and disability resource centers, beginning between July, 2005, and October, 2006, in the following areas: (1) Brown County; (2) Barron County; (3) Green County; (4) Wood County (as an expansion to the existing Marathon County resource center); (5) Manitowoc County; (6) Outagamie, Calumet, and Waupaca Counties; (7) Sheboygan County; (8) Waushara, Green Lake, and Marquette Counties; and (9) Forest County.

DHFS indicates that funding would be available to support these expansions in 2005-07 through the use of existing base funding and funding that is anticipated to be carried over to 2005-06 and to 2006-07. Base GPR funding to support resource centers is \$8,774,300. However, DHFS estimates that approximately \$1.6 million GPR annually in 2007-09 would be required to continue to support these resource center contracts.

Charlie Morgan (LFB)

6/1/05

Leave requirement that Council create
a plan - fits best with language of
motion - will try to talk with DHS.
about



State of Wisconsin
2005 - 2006 LEGISLATURE

LRBb0232/2

RLR:.....

WJ

RMR

In 6/1/05

Please fix request sheet

LFB:.....Morgan - New Family Care resource centers

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,
TO 2005 ASSEMBLY BILL 100

SOON

Note

1 At the locations indicated, amend the bill as follows:

2 ↓ 1. Page 469, line 5: after that line insert:

3 "SECTION 872m. 46.281 (1) (e) of the statutes is renumbered 46.281 (1) (e)

4 (intro.) and amended to read:

5 46.281 (1) (e) ^(intro.) After June 30, 2001, if:

6 1. If the local long-term care council for the applicable area has developed the
7 initial plan under s. 46.282 (3) (a) 1., contract with entities specified under par. (d)
8 and, only if specifically authorized by the legislature and if the legislature
9 appropriates necessary funding, contract as so authorized with one or more entities
10 in addition to those specified in par. (d) certified as meeting requirements under s.

1 46.284 (3) for services of the entity as a care management organization ~~and one or~~
2 ~~more entities for services specified under s. 46.283 (3) and (4).~~

History: 1999 a. 9; 2001 a. 103.

3 **SECTION 872n.** 46.281 (1) (e) 2. of the statutes is created to read:

4 46.281 (1) (e) 2. Contract with entities specified under par. (d) and other
5 entities for the provision of services ~~under s. 46.283 (3) and (4),~~ except that after the
6 effective date of this subdivision ... [revisor inserts date], the department shall notify
7 the joint committee on finance in writing of any proposed contract with an entity that
8 did not have a contract to provide services under s. 46.283 (3) and (4) before the
9 effective date of this subdivision ... [revisor inserts date]. If the cochairpersons of
10 the committee do not notify the department within 14 working days after the date
11 of the department's notification that the committee has scheduled a meeting for the
12 purpose of reviewing the ^{proposed} contract, the department may enter into the ~~proposed~~ ^{STET}
13 contract. If within 14 working days after the date of the department's notification,
14 the cochairpersons of the committee notify the department that the committee has
15 scheduled a meeting for the purpose of reviewing the proposed contract, the
16 department may enter into the proposed contract only upon approval of the
17 committee.

History: 1999 a. 9; 2001 a. 103.

18 **SECTION 872o.** 46.283 (1) (a) (intro.) of the statutes is amended to read:

19 46.283 (1) (a) (intro.) ~~After considering recommendations of the local~~
20 ~~long-term care council under s. 46.282 (3) (a) 1., a~~ A county board of supervisors
21 and, in a county with a county executive or a county administrator, the county
22 executive or county administrator, may decide all of the following:

History: 1999 a. 9; 2001 a. 16, 103; 2003 a. 33.

23 **SECTION 872p.** 46.283 (1) (b) of the statutes is amended to read:

1 46.283 (1) (b) ~~After considering recommendations of the local long-term care~~
2 ~~council under s. 46.282 (3) (a) 1., the~~ The governing body of a tribe or band or of the
3 Great Lakes Inter-Tribal Council, Inc., may decide whether to authorize a tribal
4 agency to apply to the department for a contract to operate a resource center for tribal
5 members and, if so, which client group to serve.

History: 1999 a. 9; 2001 a. 16, 103; 2003 a. 33.

6 **SECTION 872q.** 46.283 (1) (c) [✓] of the statutes is amended to read:

7 46.283 (1) (c) ~~Under the requirements of par. (a), a~~ A county board of
8 supervisors may decide to apply to the department for a contract to operate a
9 multicounty resource center in conjunction with the county board or boards of one
10 or more other counties or a county-tribal resource center in conjunction with the
11 governing body of a tribe or band or the Great Lakes Inter-Tribal Council, Inc.

History: 1999 a. 9; 2001 a. 16, 103; 2003 a. 33.

12 **SECTION 872r.** 46.283 (1) (d) [✓] of the statutes is amended to read:

13 46.283 (1) (d) ~~Under the requirements of par. (b), the~~ The governing body of a
14 tribe or band may decide to apply to the department for a contract to operate a
15 resource center in conjunction with the governing body or governing bodies of one or
16 more other tribes or bands or the Great Lakes Inter-Tribal Council, Inc., or with a
17 county board of supervisors.

History: 1999 a. 9; 2001 a. 16, 103; 2003 a. 33.

18 **SECTION 872s.** 46.283 (2) (b) (intro.) [✓] of the statutes is amended to read:

19 46.283 (2) (b) (intro.) After June 30, 2001, the department shall contract with
20 the entities specified under s. 46.281 (1) (d) 1. and may, if ~~the~~ applicable review
21 conditions under s. 48.283 (1) (e) 2. are satisfied, in addition to contracting with these
22 entities ~~and subject to approval of necessary funding~~, contract to operate a resource
23 center with counties, family care districts, or the governing body of a tribe or band
24 or the Great Lakes Inter-Tribal Council, Inc., under a joint application of any of

these, or with a private nonprofit organization if the department determines that the organization has no significant connection to an entity that operates a care management organization and if any of the following applies.”.

History: 1999 a. 9; 2001 a. 16, 103; 2003 a. 33.

2. Page 470, line 11: after that line insert:

“SECTION 876m. 46.2895 (1) (a) (intro.) of the statutes is amended to read:

46.2895 (1) (a) (intro.) ~~After considering recommendations of the local long-term care council under s. 46.282 (3) (a) 1., a~~ **A** county board of supervisors may create a special purpose district that is termed a “family care district”, that is a local unit of government, that is separate and distinct from, and independent of, the state and the county, and that has the powers and duties specified in this section, if the county board does all of the following:”.

History: 1999 a. 9, 185; 2001 a. 30.

3. Page 1082, line 16: after that line insert:

(12^K) CONTRACTS FOR NEW FAMILY CARE RESOURCE CENTERS. Notwithstanding sections 46.281 (1) (e) 2. and 46.283 (2) (b) of the statutes, as affected by this act, the department of health and family services may during the 2005–07 fiscal biennium enter into contracts with ~~nine~~ ⁹ entities to provide services under section 46.283 (3) and (4) of the statutes in a total of 13 counties and may subsequently renew the contracts without submitting the contracts to the joint committee on finance or obtaining approval of the contracts ~~by~~ ^{as from} the joint committee on finance.

(12^L) BUDGET REQUEST FOR OPERATION OF FAMILY CARE RESOURCE CENTERS. The department of health and family services shall include a plan in its 2007–09 biennial budget request to reallocate funds in the department’s base appropriations to support projected annual costs of operating resource centers under ~~s.~~ ^{Section} 46.283 of the

1 statutes, as affected by this act, which exceed the amount appropriated for the
2 operation of resource centers in the 2006-07 fiscal year.”.

3 (END)


15-Note ✓

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0232/3dn

RLR:.....

Wlj

Charlie: 

As we discussed, this draft retains the requirement that a local long-term care council develop the initial plan for the structure of a county's resource center and care management organization(s) even though neither the department nor the county must consider the plan before contracting for a resource center. The draft removes the requirement under s. 46.2895 (1) (a) that a county board consider the local long-term care council's initial plan before creating family care district -- is this ok?

Robin Ryan
Legislative Attorney
Phone: (608) 261-6927
E-mail: robin.ryan@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBb0232/1dn
RLR:wlj:rs

June 6, 2005

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As we discussed, this draft retains the requirement that a local long-term care council develop the initial plan for the structure of a county's resource center and care management organization(s) even though neither the department nor the county must consider the plan before contracting for a resource center. The draft removes the requirement under s. 46.2895 (1) (a) that a county board consider the local long-term care council's initial plan before creating a family care district — is this OK?

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State of Wisconsin
2005 - 2006 LEGISLATURE

LRBb0232/1
RLR:wlj:rs

LFB:.....Morgan – New family care resource centers

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION
ASSEMBLY AMENDMENT ,
TO 2005 ASSEMBLY BILL 100

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6 did not have a contract to provide services under s. 46.283 (3) and (4) before the
7 effective date of this subdivision [revisor inserts date]. If the cochairpersons of
8 the committee do not notify the department within 14 working days after the date
9 of the department's notification that the committee has scheduled a meeting for the
10 purpose of reviewing the proposed contract, the department may enter into the
11 proposed contract. If within 14 working days after the date of the department's
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13 more other tribes or bands or the Great Lakes Inter-Tribal Council, Inc., or with a
14 county board of supervisors.

15 **SECTION 872s.** 46.283 (2) (b) (intro.) of the statutes is amended to read:

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(12L) BUDGET REQUEST FOR OPERATION OF FAMILY CARE RESOURCE CENTERS. The department of health and family services shall include a plan in its 2007–09 biennial budget request to reallocate funds in the department’s base appropriations to support projected annual costs of operating resource centers under section 46.283 of the statutes, as affected by this act, which exceed the amount appropriated for the operation of resource centers in the 2006–07 fiscal year.”.

(END)